

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**ROBIN KOSER, aka ROBIN LEE KOSER**

Registered Nurse License No. 588984

Respondent

Case No. 2011-487

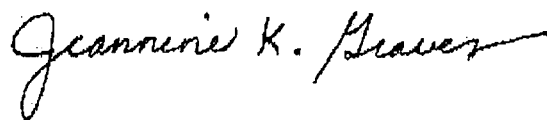
OAH No. 2011010540

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on July 6, 2011.

IT IS SO ORDERED June 6, 2011.



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President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
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Deputy Attorney General  
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7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 **ROBIN KOSER, a.k.a. ROBIN LEE**  
14 **KOSER**

15 **1470 Sanish Court**  
**Toms River, NJ 08755**

16 **Registered Nurse License No. 588984**

17 Respondent.

Case No. 2011-487

OAH No. 2011010540

18 **STIPULATED SETTLEMENT AND**  
19 **DISCIPLINARY ORDER FOR PUBLIC**  
20 **REPROVAL**

[Bus. & Prof. Code § 495]

21 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
22 entitled proceedings that the following matters are true:

23 **PARTIES**

24 1. Louise R. Bailey, M.Ed., RN (Complainant) was the Interim Executive Officer of the  
25 Board of Registered Nursing at the time this matter was filed, and she brought this action solely  
26 in her official capacity. For purposes of resolving this matter, Ms. Bailey is now the Executive  
27 Officer of the Board. Complainant is represented in this matter by Kamala D. Harris, Attorney  
28 General of the State of California, by Susana A. Gonzales, Deputy Attorney General.

2. Respondent Robin Koser, also known as Robin Lee Koser (Respondent) is  
representing herself in this proceeding and has chosen not to exercise her right to be represented  
by counsel.

3. On or about October 10, 2001, the Board of Registered Nursing issued Registered Nurse License No. 588984 to Robin Koser, also known as Robin Lee Koser (Respondent). The Registered Nurse License expired on December 31, 2010, and has not been renewed. Pursuant to Business and Professions Code (Code) sections 118, subsection (b), and 2764, this lapse in licensure, however, does not deprive the Board of its authority to institute or continue this disciplinary proceeding.

## JURISDICTION

4. Accusation No. 2011-487 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on November 24, 2010. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2011-487 is attached as Exhibit A and incorporated by reference.

### ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 2011-487. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

## CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 2011-487.

1           9. Respondent agrees that her Registered Nurse License is subject to discipline and she  
2 agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order.  
3 below.

4                                   CIRCUMSTANCES IN MITIGATION

5           10. Respondent Robin Koser, also known as Robin Lee Koser has never been the subject  
6 of any disciplinary action by the Board. She is admitting responsibility at an early stage in the  
7 proceedings.

8                                   RESERVATION

9           11. The admissions made by Respondent in this stipulation are only for the purposes of  
10 this proceeding, or any other proceedings in which the Board of Registered Nursing or other  
11 professional licensing agency is involved, and shall not be admissible in any other criminal or  
12 civil proceeding.

13                                  CONTINGENCY

14           12. This stipulation shall be subject to approval by the Board of Registered Nursing.  
15 Respondent understands and agrees that counsel for Complainant and the staff of the Board of  
16 Registered Nursing may communicate directly with the Board regarding this stipulation and  
17 settlement, without notice to or participation by Respondent. By signing the stipulation,  
18 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind  
19 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt  
20 this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall  
21 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
22 between the parties, and the Board shall not be disqualified from further action by having  
23 considered this matter.

24           13. The parties understand and agree that facsimile copies of this Stipulated Settlement  
25 and Disciplinary Order, including facsimile signatures thereto, shall have the same force and  
26 effect as the originals.

27           14. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an  
28 integrated writing representing the complete, final, and exclusive embodiment of their agreement.

1 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
2 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary  
3 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a  
4 writing executed by an authorized representative of each of the parties.

5 15. In consideration of the above admissions and stipulations, the parties agree that the  
6 Board may, without further notice or formal proceeding, issue and enter the following  
7 Disciplinary Order:

8 **DISCIPLINARY ORDER**

9 IT IS ORDERED that Registered Nurse License No. 588984 issued to Respondent Robin  
10 Koser, also known as Robin Lee Koser (Respondent) shall, by way of letter from the Board's  
11 Executive Officer, be publicly reprovved. The letter shall be in the same form as the letter attached  
12 as Exhibit B to this stipulation.

13 **ACCEPTANCE**

14 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the  
15 stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated  
16 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be  
17 bound by the Decision and Order of the Board of Registered Nursing.

18  
19 DATED: 3/3/2011

Robin Koser  
20 ROBIN KOSER  
21 Respondent  
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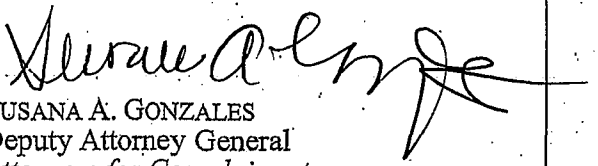
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 3/9/11

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
DIANN SOKOLOFF  
Supervising Deputy Attorney General

  
SUSANA A. GONZALES  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 2011-487**

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 SUSANA A. GONZALES  
Deputy Attorney General  
4 State Bar No. 253027  
1515 Clay Street, 20th Floor  
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6 Telephone: (510) 622-2221  
Facsimile: (510) 622-2270  
7 E-mail: Susana.Gonzales@doj.ca.gov  
*Attorneys for Complainant*

8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2011-487*

12 **ROBIN KOSER, a.k.a. ROBIN LEE**  
13 **KOSER**  
14 **1470 Sanish Court**  
**Toms River, NJ 08755**  
15 **Registered Nurse License No. 588984**

**A C C U S A T I O N**

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
22 of Consumer Affairs.

23 2. On or about October 10, 2001, the Board of Registered Nursing issued Registered  
24 Nurse License Number 588984 to Robin Koser, also known as Robin Lee Koser (Respondent).  
25 The Registered Nurse License was in full force and effect at all times relevant to the charges  
26 brought in this Accusation and will expire on December 31, 2010, unless renewed.  
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4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

6. Section 1.18, subdivision (b), of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

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“The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

...

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1 COST RECOVERY

2 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licentiate found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case.

6 CAUSE FOR DISCIPLINE

7 **(Unprofessional Conduct – Out of State Discipline)**  
8 **(Bus. & Prof. Code §2761(a)(4))**

9 9. Respondent has subjected her registered nurse license to disciplinary action under  
10 Code section 2761, subdivision (a)(4), in that on or about February 2, 2007, in a disciplinary  
11 action before the New Jersey State Board of Nursing (New Jersey Board), the New Jersey Board  
12 entered a Final Order of Discipline publicly reprimanding Respondent.

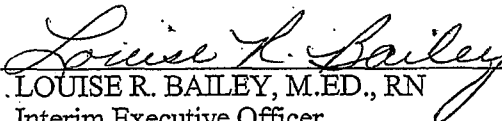
13 10. The underlying circumstances supporting the New Jersey Board's disciplinary action  
14 is that on or about May 21, 2003, Respondent entered a Consent Order with the Office of the  
15 Insurance Fraud Prosecutor, ordering that Respondent pay a \$5,000.00 civil penalty for providing  
16 false and misleading statements to an insurance company. Specifically, Respondent submitted a  
17 claim to the insurance company alleging a loss of jewelry and clothing that were never actually  
18 lost.  
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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 588984, issued to Robin Koser, also known as Robin Lee Koser;
2. Ordering Robin Koser, also known as Robin Lee Koser to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: November 24, 2010

  
LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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**Exhibit B**

**Letter of Public Reproval in Case No. 2011-487**



**BOARD OF REGISTERED NURSING**

PO Box 944210, Sacramento, CA 94244-2100

P (916) 322-3350 F (916) 574-8637 | [www.rn.ca.gov](http://www.rn.ca.gov)

Louise R. Bailey, MEd, RN, Executive Officer



June 1, 2011

Robin Koser  
1470 Sanish Court  
Toms River, NJ 08755

**RE: LETTER OF PUBLIC REPROVAL**

In the Matter of the Accusation Against: **ROBIN KOSER, a.k.a. ROBIN LEE KOSER**

Board of Registered Nursing Case No. 2011-487

Office of Administrative Hearings, Oakland Regional Office, Case No. 2011010540

Dear Ms. Koser:

On November 24, 2010, the Board of Registered Nursing, Department of Consumer Affairs, State of California, filed an Accusation against your license to practice professional nursing. The Accusation alleged unprofessional conduct under Business and Professions Code section 2761, subdivision (a)(4), and was based upon the New Jersey Board's February 2, 2007 disciplinary action against your New Jersey registered nursing license. The New Jersey Board's order resulted from your conduct in 2003 when you entered a Consent Order with the Office of the Insurance Fraud Prosecutor, which required you to pay a \$5,000.00 civil penalty for providing false and misleading statements to an insurance company.

Taking into consideration the fact that you have been licensed by the California Board since 2001 without any prior disciplinary action and you have fully complied with the New Hersey Board's disciplinary order, as well as other mitigating circumstances, the Board has determined that you are safe to practice registered nursing and that the charges alleged in the Accusation warrant a public reproof.

Accordingly, under the authority provided by section 495 of the Business and Professions Code, and in resolution of this matter, the Board of Registered Nursing hereby issues this letter of public reproof.

Sincerely,

Louise Bailey  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs